

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <b>[REDACTED]</b>		GRADE <b>A1C</b>	AFSN/SSAN <b>[REDACTED]</b>			
TYPE		<b>PERSONAL APPEARANCE</b>		<b>X RECORD REVIEW</b>		
COUNSEL		NAME OF COUNSEL AND OR ORGANIZATION		ADDRESS AND OR ORGANIZATION OF COUNSEL		
YES	NO					
	<b>X</b>					
<b>MEMBERS SITTING</b>		<b>VOTE OF THE BOARD</b>				
		HON	GEN	UOTHC	OTHER	DENY
<b>[REDACTED]</b>					<b>X</b>	
<b>[REDACTED]</b>					<b>X</b>	
<b>[REDACTED]</b>					<b>X</b>	
<b>[REDACTED]</b>					<b>X</b>	
<b>[REDACTED]</b>					<b>X</b>	
ISSUES <b>A95.00</b>		INDEX NUMBER <b>A67.10</b>	EXHIBITS SUBMITTED TO THE BOARD			
HEARING DATE <b>1 JUL 03</b>		CASE NUMBER <b>FD2003-0056</b>		<b>1</b>	ORDER APPOINTING THE BOARD	
				<b>2</b>	APPLICATION FOR REVIEW OF DISCHARGE	
				<b>3</b>	LETTER OF NOTIFICATION	
				<b>4</b>	BRIEF OF PERSONNEL FILE	
					COUNSEL'S RELEASE TO THE BOARD	
					ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE	
					TAPE RECORDING OF PERSONAL APPEARANCE HEARING	

APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONAL ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE.

**REMARKS**  
**Case heard at Washington, D.C.**  
  
**Advise applicant of the decision of the Board, the right to a personal appearance with/without counsel, and the right to submit an application to the AFBCMR.**

SIGNATURE OF RECORDER <b>[REDACTED]</b>	SIGNATURE OF BOARD PRESIDENT <b>[REDACTED]</b>
INDORSEMENT	DATE: <b>1 JUL 03</b>

TO: SAF/MIBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742	FROM: SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL AIR FORCE DISCHARGE REVIEW BOARD 1535 COMMAND DR, EE WING, 3 <sup>RD</sup> FLOOR ANDREWS AFB, MD 20762-7002
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**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

FD03-0056

**GENERAL:** The applicant appeals for upgrade of discharge to Honorable.

The applicant was offered a personal appearance before the Discharge Review Board (DRB) but declined to exercise this right.

The attached brief contains the available pertinent data on the applicant and the factors leading to the discharge.

**FINDINGS:** Upgrade of discharge is denied.

The board finds that the applicant submitted no issues contesting the equity or propriety of the discharge, and after a thorough review of the record, the Board was able to identify none that would justify a change of discharge.

**ISSUE:** The applicant submitted no issues and requested that the review be completed based on the available service record. The Board reviewed the entire record and found no evidence of impropriety or inequity in this case on which to base an upgrade of discharge. The records indicated the applicant received an Article 15 for willfully failing to take the practical test on the P-12 structural vehicle. In addition, he also received two Letters of Reprimand for financial irresponsibility and failure to meet licensing deadline. And, ten Records of Individual Counseling for driving an uninsured vehicle, violation of AFR 35-10 (four times), failure to meet physical fitness standards, failure to comply with training requirements (three times), being late for duty, and financial irresponsibility. The Board concluded the disciplinary infractions were a significant departure from the conduct expected of all military members. The Board found no evidence of impropriety or inequity in this case on which to base an upgrade of discharge.

**CONCLUSIONS:** The Discharge Review Board concludes that the discharge was consistent with the procedural and substantive requirements of the discharge regulation and was within the discretion of the discharge authority and that the applicant was provided full administrative due process.

In view of the foregoing findings the board further concludes that there exists no legal or equitable basis for upgrade of discharge, thus the applicant's discharge should not be changed.

Attachment:

Examiner's Brief

DEPARTMENT OF THE AIR FORCE  
AIR FORCE DISCHARGE REVIEW BOARD  
ANDREWS AFB, MD

[REDACTED]

(Former A1C) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 2 Jan 90 UP AFR 39-10, para 5-46 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Disch.

2. **BACKGROUND:**

a. DOB: 12 Dec 67. Enlmt Age: 20 0/12. Disch Age: 22 0/12. Educ: HS DIPL. AFQT: N/A. A-54, E-64, G-50, M-95. PAFSC: 57130 - Apprentice Fire Protection Specialist. DAS: 8 Oct 88.

b. Prior Sv: (1) AFRes 22 Dec 87 - 25 Jan 88 (1 Month 4 Days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enld as AB 26 Jan 88 for 4 yrs. Svd: 1 Yr 11 Mos 8 Das, all AMS.

b. Grade Status: A1C - 26 MAY 89  
AMN - 26 JUL 88

c. Time Lost: None.

d. Art 15's: (1) 8 Dec 89, K.I. Sawyer AFB, MI - Article 92. In that you, who knew of your duties, on or about 25 Nov 89, were derelict in the performance of those duties in that you willfully failed to take the practical test on the P-12 structural vehicle, as it was your duty to do. Suspended reduction to AMN, suspended forfeiture of \$100.00, 14 days restriction, and 14 days extra duty. (No appeal) (No mitigation)

e. Additional: LTR, 29 NOV 89 - Failure to meet training deadlines and to progress in training.  
LOR, 27 NOV 89 - Financial irresponsibility.  
RIC, 24 SEP 89 - Financial irresponsibility.  
RIC, 02 SEP 89 - Violation of AFR 35-10 standards.  
LOR, 25 AUG 89 - Failure to meet licensing deadline.  
RIC, 18 JUN 89 - Failure to meet training requirements.  
RIC, 14 JUN 89 - Late for duty, bearing and behavior, and violation of AFR 35-10 standards.  
RIC, 14 JUN 89 - Late for duty and violation of AFR 35-10 standards.  
RIC, 13 MAY 89 - Failure to comply with training requirements.  
RIC, 28 APR 89 - Failure to meet physical fitness standards.

RIC, 27 JAN 89 - Violation of AFR 35-10 standards.  
RIC, 20 DEC 88 - Driving uninsured vehicle.

f. CM: None.

g. Record of SV: 26 Jan 88 - 9 Feb 89 K.I. Sawyer AFB 8 (Annual)  
10 Feb 89 - 25 Sep 89 K.I. Sawyer AFB 2 (Initial) REF

(Discharged from K.I. Sawyer AFB)

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (2) Yrs (0) Mos (12) Das  
TAMS: (1) Yrs (11) Mos (8) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 6 FDeb 03.  
(Change Discharge to Honorable)

NO ISSUES SUBMITTED

ATCH  
None.

21Mar03/cr



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS 410TH BOMBARDMENT WING (SAC)  
K I SAWYER AIR FORCE BASE, MICHIGAN 49843-5000



REPLY TO: 410 CES/CCE  
ATTN. OF:

13 DEC 1989

SUBJECT: Notification Letter

TO: A1C [REDACTED] 410 CES

1. I am recommending your discharge from the United States Air Force for misconduct, to wit: minor disciplinary infractions. The authority for this action is AFR 39-10, paragraph 5-46. If my recommendation is approved, your service will be characterized as general.

2. My reason for this action is:

a. On or about 25 November 1989, you were derelict in the performance of your duties in that you willfully failed to take the practical test on the P-12 structural vehicle, as it was your duty to do so, as evidenced by AF Form 3070 dated 8 December 1989.

b. Your violation of AFR 35-10 on or about 2 September 1989 when you reported for duty in dire need of a haircut, as evidenced by LOC dated 2 September 1989.

c. Your noncompliance with meeting established suspenses when you failed to meet the deadline of 15 August 1989 on being licensed on the P-12 vehicle, as evidenced by LOR dated 25 August 1989 with attachments.

d. On or about 14 June 1989, you were counseled concerning your bearing and behavior for being late for duty and violations of AFR 35-10, as evidenced by LOC dated 14 June 1989.

e. On or about 14 June 1989, you reported to duty twenty-two minutes late and in dire need of a haircut and mustache trim, as evidenced by LOC dated 14 June 1989.

f. On or about 25 January 1989, you stated that you were going to get a haircut, however on 26 January 1989, you reported to duty again in violation of AFR 35-10, as evidenced by LOC dated 27 January 1989.

g. On or about 11 December 1988, you were seen driving your car which was not fully insured. On or about 20 December 1988, you were verbally counseled on the dangers of driving an uninsured vehicle along with the fines and actions that can be taken against you, as evidenced by LOC dated 20 December 1988.

Copies of the documents to be forwarded to the separation authority in support of this recommendation are attached. The commander exercising SPCM jurisdiction or a higher authority will decide whether you will be discharged or retained in the Air Force and, if you are discharged, how your service will be characterized. If you are discharged, you will be ineligible for reenlistment in the Air Force.

3. You have the right to consult counsel. Military legal counsel has been obtained to assist you. I have made an appointment for you to consult Capt [redacted], the Area Defense Counsel, at building 708, room 323, on 13 December 1989 at 0945 hours. You may consult civilian counsel at your own expense.

4. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me by 18 December 1989 unless you request and receive an extension for good cause shown. I will send them to the separation authority.

5. If you fail to consult counsel or to submit statements in your own behalf, your failure will constitute a waiver of your right to do so.

6. You have been scheduled for a medical examination. You are ordered to report to the 410th Strategic Hospital, physical examination section, at 0900 hrs on 14 December 1989.

7. Any personal information you furnish in rebuttal is covered by the Privacy Act Statement as explained in AFR 39-10, attachment 6. A copy of AFR 39-10 is available for your use in the 410th CES Orderly Room.

8. Execute the attached acknowledgment and return it to me immediately.

[redacted]  
[redacted] Captain, USAF  
Squadron Section Commander

Atchs

1. Supporting Documents:
  - a. AF Fm 3070, 8 Dec 89
  - b. LOC, 2 Sep 89
  - c. LOR, 25 Aug 89 w/atchs
  - d. LOC, 14 Jun 89
  - e. LOC, 14 Jun 89
  - f. LOC, 27 Jan 89
  - g. LOC, 20 Dec 88
2. Other Derogatory Data:
  - a. LOR, 27 Nov 89 w/atchs
  - b. Missed Deadline Ltr, 27 Nov 89 w/atchs
  - c. LOC, 24 Sep 89
  - d. Dish Ck Notif, 19 Sep 89
  - e. Med Exam Ltr, 8 Sep 89
  - f. Ed Eval Ltr, 8 Sep 89 w/atchs
  - g. LOC, 20 Jun 89
  - h. LOC, 18 Jun 89
  - i. LOC, 13 May 89 w/atch
  - j. LOC, 28 Apr 89
  - k. LOC, 22 Dec 88
  - l. LOC, 10 Nov 88 w/atchs
3. Amn's Receipt of Notif Ltr